

## **REMARKS**

Applicants respectfully request reconsideration of the present application in view of this response. Claims 1-20 are currently pending in connection with the present application. Of those, claim 1 is the sole independent claim.

## **PRIORITY DOCUMENTS**

Applicants note that the Examiner did not acknowledge Applicants' claim for priority under 35 U.S.C. §119(a)-(d) or (f). Accordingly, Applicants respectfully request that the Examiner acknowledge Applicants' claim for priority under 35 U.S.C. §119 and further acknowledge the receipt of all the necessary priority documents in this National Stage application from the International Bureau.

## **INFORMATION DISCLOSURE STATEMENT**

Applicants acknowledge and thank the Examiner for the careful consideration of the Information Disclosure Statement filed September 7, 2001. However, it appears that the Examiner has inadvertently failed to initial the "EXAMINER INTIAL" boxes next to the listed documents **EP 881854** or **Zinky et al., Theory and Practice of Object Systems, Vol. 3, No. 1, pp. 55-73 (1997)** on the PTO Form 1449. Accordingly, Applicants respectfully request that the Examiner initial the "EXAMINER INITIAL" boxes next to the above

identified documents and provide Applicants with a copy of the initialed form PTO-1449 in the next USPTO correspondence.

### ***DRAWINGS***

Applicants note that the Examiner has not indicated the status of the drawings filed September 7, 2001. As such, Applicants respectfully request that the Examiner indicate the status of such drawings in the next USPTO correspondence.

### ***PRIOR ART REJECTIONS***

#### ***Rejections under 35 U.S.C. §102(e)***

Claims 1-20 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Fraley et al. (U.S. Patent No. 6,263,492, hereinafter referred to as "Fraley"). Applicants respectfully traverse this rejection.

On page 3 of the Office Action, the Examiner relies upon col. 10, ll. 14-37 of Fraley for allegedly teaching "assigning, after creating an automation solution, the automation objects to physical equipment units of a system," as set forth in claim 1. However, Applicants respectfully disagree with the Examiner's conclusion.

Fraley is directed to design of object-oriented computer software. Object-oriented computer programming is used to design computer software, which includes object-oriented programming objects further including object data and information. A collection of objects constitutes an object class, or object type, which acts as a template describing behavior of sets of objects (see col. 1; ll. 16-25 of Fraley). Models used in object-oriented programming, include a

component object model (COM) and a distributed component object model (DCOM). Both the COM and DCOM specify how objects interact and communicate within a single application, a distributed application or between applications (see col. 1; ll. 31-35 of Fraley). Object linking and embedding (OLE) are used to create objects, which operate on object data rather than operating on the applications responsible for the data (see col. 1; ll. 43-46 of Fraley).

More specifically, the above referenced portion of Fraley relied upon by the Examiner (i.e., col. 10, ll. 14-37) discusses an object designer 62 that allows software developers to devise queries to remote databases without user interface at run-time. With regard to FIG. 5, object interfaces 80-86 (of the object designer 62) provide object linking and embedding, in-place object activation, and object programmability.

However, Applicants respectfully submit that Fraley makes no mention or suggestion of any physical equipment or any interaction of automation objects with physical equipment units of a system, let alone "assigning... automation objects to physical equipment units of a system," as set forth in claim 1. In contrast, the above cited portion, and all of Fraley, for that matter, is merely devoted to the creating of run-time files for applications or, in other words, the creation of software, without any interaction with "physical equipment units." Accordingly, Applicants respectfully submit that Fraley fails to teach or suggest all of the limitations set forth in claim 1.

With regard to claims 2-20, Applicants respectfully submit that claims 2-20 are also allowable for at least the reasons discussed above with regard to independent claim 1 from which they depend.

In view of the above, Applicants respectfully request withdrawal of the above rejection.

### **CONCLUSION**

In view of above remarks, reconsideration of the outstanding rejection and allowance of the pending claims is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Andrew M. Waxman, Reg. No. 56,007, at the number of the undersigned listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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